

File

PRIME MINISTER

You might like to see the attached papers about the Mr. Ted Rowlands indiscretion which you mentioned in your "World this Weekend" interview yesterday, and about which there has been much press speculation today.

- A Hansard extract: 3 April 1982
- B Sir Robert Armstrong's advice of April 1982 about the disclosure
- C A series of correspondence about Mr. Rowlands' article for the ~~Sunday~~ Times following the Franks report in January 1983
- D An extract from the PA tape this lunchtime mentioning comments from Mr. Tam Dalyell and Dr David Owen made today.

Argentina relations
pt 7
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DUTY CLERK
7 May 1984

Monday 7 May 1984

NI6137 4 XXX 223

THATCHER CHALLENGED TO REPEAT ALLEGATIONS IN COMMONS

MRS THATCHER WAS TODAY CHALLENGED TO REPEAT HER ALLEGATIONS ABOUT INTELLIGENCE ACTIVITIES AND THE FALKLANDS CONFLICT IN THE COMMONS.

LABOUR MP MR TAM DALYELL, IN A LETTER TO THE PRIME MINISTER, ALSO ALLEGED THAT BY HER COMMENTS SHE WAS SAYING THAT THE FRANKS COMMITTEE HAD REACHED THE WRONG CONCLUSION - THE INVASION OF THE FALKLANDS BY ARGENTINA WAS FORESEEN BY THE GOVERNMENT.

MR DALYELL, SUSPENDED FROM THE COMMONS FOR FIVE DAYS LAST WEEK FOR USE OF AN UNPARLIAMENTARY EXPRESSION - HE CLAIMED THAT THE PRIME MINISTER WAS LYING

- WROTE TODAY "I HOPE YOU WILL REPEAT IN THE COMMONS WHAT YOU SAID ON THE WORLD THIS WEEKEND ABOUT AN MP AND INTELLIGENCE AND CLARIFY TO WHOM AND TO WHAT YOU ARE REFERRING.

MR DALYELL WENT ON: "WHY HAS IT TAKEN YOU OVER TWO YEARS TO SAY THIS. DOES IT NOT REVEAL YOUR CONSIDERABLE SENSITIVITY TO THE EXPOSURE OF WHAT YOU YOURSELF KNEW --

(A) ABOUT THE RUN UP IN FEBRUARY AND MARCH, 1982 TO THE FALKLANDS WAR AND THE CHARGE, TO QUOTE DENNIS SKINNER'S PHRASE, THAT YOU LURED THE ARGENTINES ON TO THE PUNCH AND

(B) YOUR KNOWLEDGE OF THE ORDERS TO THE BELGRANO, PARTICULARLY THE COUNTERMANDING SUCH AS THOSE SENT OUT ON SUNDAY MAY 2 ORDERING THE BELGRANO AND ESCORTS TO WITHDRAW TO THE COAST MANY HOURS BEFORE YOU GAVE THE ORDER FROM CHEQUERS FOR THE CONQUEROR TO SINK IT.

OWEN STEPS INTO ROW OVER THATCHER'S ALLEGATIONS

SOCIAL DEMOCRATIC LEADER DR DAVID OWEN THIS AFTERNOON STEPPED INTO THE GROWING CONTROVERSY OVER THE PRIME MINISTER'S CRITICISM YESTERDAY OF AN INTELLIGENCE "GAFFE" MADE IN THE COMMONS BY AN UNNAMED MP AT THE OUTSET OF THE FALKLANDS CAMPAIGN.

DR OWEN, FORMER LABOUR FOREIGN SECRETARY, TOLD ME IT WAS "THE HEIGHT OF FOLLY AND INSENSITIVITY" FOR MRS THATCHER TO UNEARTH NOW A REMARK WHICH SHE SAID WAS "TOTALLY AND UTTERLY DEVASTATING" IN THE AMOUNT IT GAVE AWAY.

DOWNING STREET TODAY REFUSED TO ELABORATE ON HER COMMENTS MADE DURING THE BBC "RADIO FOUR" WORLD THIS WEEKEND PROGRAMME.

BUT IT IS PRESUMED SHE WAS REFERRING TO MR TED ROWLANDS, FORMER FOREIGN OFFICE MINISTER WITH RESPONSIBILITY FOR THE FALKLAND ISLANDS.

DURING THE EMERGENCY COMMONS DEBATE ON SATURDAY APRIL 3 1982, JUST AFTER THE ARGENTINE INVASION, MR ROWLANDS SAID "I SHALL MAKE A DISCLOSURE. AS WELL AS TRYING TO READ THE MIND OF THE ENEMY WE HAVE BEEN READING ITS TELEGRAMS FOR MANY YEARS."

IT IS UNDERSTOOD THAT MR ROWLANDS, WHO TODAY DECLINED TO COMMENT, WAS PRIVATELY, REBUKED BY THE GOVERNMENT FOR HIS REMARKS.

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CONFIDENTIAL SECURITY.



2.6 AH

10 DOWNING STREET

From the Principal Private Secretary

SIR ROBERT ARMSTRONG

Thank you for your minute of 2 February (A083/0372) about Mr Edward Rowlands MP, with which you attached a copy of Mr Rowlands's reply to your letter of 18 January.

I have shown the Prime Minister these papers, and she has noted the Attorney General's decision not to prosecute Mr Rowlands. She agrees with your view that this decision should be accepted.

F.R.S.

4 February 1983

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Prime Minister

Agree to accept the
 Attorney General's decision not
 to prosecute? (I do not think
 you can properly interfere with such
 a decision, but you could make
 representations)

Ref. A083/0372

MR BUTLER

Mr Edward Rowlands MP published an article in The Times on ^{FERS} 15 January which included a number of quotations from DOP papers ^{22.} and minutes of Mr Callaghan's Government and also a series of disclosures about intelligence matters. One of these at least was potentially very damaging; and the publication of the article much incensed Dr Owen.

2. I had a brief word with the Prime Minister about this, and she made it clear that she regarded Mr Rowlands's disclosures as of the utmost seriousness, as indeed did I. She agreed that I should write to Mr Rowlands; and she thought that the Attorney General should seriously consider whether Mr Rowlands should be prosecuted.

3. I wrote accordingly to Mr Rowlands on 18 January; I sent you a copy of my letter, and I also copied it to Mr Callaghan and Mr Foot.

--- 4. I have had a reply from Mr Rowlands, a copy of which I attach; it is moderately satisfactory.

5. The Attorney General has considered whether to prosecute Mr Rowlands. He has been advised of factors which would make it difficult, if not impossible to prosecute, in what would clearly be a fiercely contested case, without there being a real risk of damage to continuing operations. My own judgment is that a protracted Official Secrets Act prosecution of Mr Rowlands would do more harm than good. Mr Rowlands has received the clearest possible warning and has agreed to abide by it; he did not commit any further indiscretions in the course of the debate on 25 and 26 January. On balance, therefore, I think that we should accept the Attorney General's decision not to prosecute.



ROBERT ARMSTRONG

2 February 1983



HOUSE OF COMMONS
LONDON SW1A 0AA

S.P.

CABINET OFFICE	
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24 JAN 1983	
FILING INSTRUCTIONS	
FILE No.	_____

PERSONAL & CONFIDENTIAL

23rd January, 1983

RA
Sir Robert Armstrong, K.C.B., C.V.O.,
Secretary of Cabinet,
Cabinet Office,
70 Whitehall,
London S.W.1.

Dear Sir Robert,

I have received your letter and in particular I have noted the specific point you make on Page 2.

I shall, of course, act in such a manner, abiding by the conventions as generally understood.

Yours sincerely,

Ted Rowlands M.P.
TED ROWLANDS, M.P.



CABINET OFFICE

With the compliments of
Sir Robert Armstrong KCB, CVO
Secretary of the Cabinet

F, E. R. Butler, Esq

70 Whitehall, London SW1A 2AS
Telephone: 01-233 8319



CABINET OFFICE

70 Whitehall, London SW1A 2AS Telephone 01-233 8319

From the Secretary of the Cabinet: Sir Robert Armstrong KCB, CVO

Ref: A083/0169

18th January 1983

Dear Mr. Rowlands,

I write to you, with the Prime Minister's agreement, about two aspects of your article in *The Times* on 15th January.

The first relates to your quotations from memoranda and minutes of meetings of Cabinet Committees. I assume that these quotations were derived from your inspection of certain Cabinet Committee documents in July and October last year, in order to refresh your memory of papers which you saw while in office for the purpose of giving evidence to the Franks Committee. You were, of course, entitled under the conventions governing access to documents of former Administrations to see documents which you saw while you were a Minister, but the publication from them in a newspaper is in breach both of the accepted conventions governing access and of the confidentiality attaching to the papers concerned. It is also relevant that, as was made clear in the Prime Minister's statement on 8th July last, one of the conditions under which the documents were made available to the Franks Committee specified that no part of Cabinet or Cabinet Committee documents or other documents which carried a security classification might be reproduced in the Committee's Report or otherwise published without the agreement of the Government and that of the former Prime Minister of the Administration concerned.

The second aspect to which I must refer relates to your disclosures of intelligence matters. You had already said, in the House of Commons on 3rd April, that the British Government had access to Argentine telegrams. That disclosure was noted in Buenos Aires and no doubt elsewhere, and has inevitably made it significantly more likely that any such access will be severely impaired if not completely lost. I must stress the potential consequences of this for the future. There are further disclosures in your recent article, not just of intelligence assessments and material derived from intelligence but also of information about sources of intelligence, which could have extremely damaging, indeed dangerous, consequences not just for the continuing availability of intelligence but also for those individuals who were the sources of some of the intelligence. It was with the object of minimising those risks that the Government agreed with Lord Franks a number of amendments to the Franks Report.

/I realise

Edward Rowlands Esq MP

I realise that you will wish to make further contributions, both in the House of Commons and outside it, to the debate on the subjects covered by the Franks Report. I write now to draw your attention to these matters, and to express the hope that in any such contributions you will have regard for your obligations to maintain confidence and secrecy in respect of information that came to you when you were a Minister - obligations of which I understand you were specifically reminded when you went recently to see Foreign and Commonwealth Office papers - and for the conventions under which you were given access to the documents in question.

With the Prime Minister's agreement I am sending copies of this letter to Mr. Foot and to Mr. Callaghan on the same personal and confidential basis as this letter.

Yours sincerely

Robert Armstrong

CONFIDENTIAL



Mr. Coker - to see

C. A. R. P. Pennington

Securities

A. J. C. 12. / 1

cc - Mr. Butler

Sir A Duff

CABINET OFFICE

70 Whitehall, London SW1A 2AS Telephone 01-233 8319

CABINET OFFICE
 From the Secretary of the Cabinet: Sir Robert Armstrong KCB, CVO
 A
 Ref. A083/0146
 17 JAN 1983
 FILING IN. 5
 FILE NO.

17 January 1983

You will have seen the article which Mr Rowlands published in The Times on Saturday, 15 January about the Labour Government and the Falkland Islands.

The article includes a number of quotations from DOP papers and minutes which Mr Rowlands was allowed to see for the purpose of preparing himself to give evidence to the Franks Committee, as they were documents which he saw while in office. His publication of them is a clear breach of the accepted conventions and of the confidentiality of the documents concerned.

Secondly, Mr Rowlands's article contains a series of disclosures about intelligence matters. There are two references to JIC assessments, and other references to intelligence reports; there is a particularly damaging reference in the third paragraph of the article to "sources close to the Head of the Argentine Navy". You will remember that, in the debate on 3 April, Mr Rowlands revealed that we had for many years had access to Argentine telegrams. We know that this reference was noted in Buenos Aires, and we have no doubt that it has contributed to recent decisions by the Argentine Government to take steps which will deny us access to much of their traffic in future. Steps were taken at that time, through Mr Healey, to draw Mr Rowlands's attention to the consequences of what he had said. His latest disclosure compounds the offence, puts at risk the continuing supply of intelligence from the source in question, and no doubt puts at risk also the life or at least the liberty of the person concerned.

Dr David Owen MP has rung this morning, to ask whether there is any action that we can take on the article. He is, of course, concerned about wider access than disclosure of confidential material; he does not like the use to which it has been put. But he is perfectly justified in drawing my attention to the breach of convention and confidence implied in the disclosures.

As indirect warnings appear to have had no effect, I now think it my duty to write direct to Mr Rowlands on these matters. I attach a draft of the letter which I propose to send. As you see, I propose to send copies of the letter to Mr Callaghan and Mr Foot.

/ I should

James Nursaw Esq CB

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I should be very grateful for your comments by telephone on the draft letter, since I ought to get it across to Mr Rowlands if possible today, or certainly failing that tomorrow morning before the Prime Minister makes her statement tomorrow afternoon.

The Prime Minister regards Mr Rowlands's disclosures as of the utmost seriousness, as indeed do I. They must certainly constitute offences under the Official Secrets Act, as well as grave breaches of confidence. The Prime Minister thinks that the Attorney General should give serious consideration to the question whether Mr Rowlands should be prosecuted. It is partly with that possibility in mind that I ask you to look at the draft letter.

I am sending copies of this letter to Antony Acland, Brian Cubbon, 'C' and Brian Tovey.

ROBERT ARMSTRONG

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DRAFT LETTER FROM SIR ROBERT ARMSTRONG TO
EDWARD ROWLANDS ESQ MP, House of Commons, SW1

I feel bound to write to you about two aspects of your article in The Times on 15 January.

The first relates to your quotations from memoranda and minutes of meetings of Cabinet Committees. I assume that these quotations were derived from your inspection of certain Cabinet Committee documents in July and October last year, in order to refresh your memory of papers which you saw while in office for the purpose of giving evidence to the Franks Committee. You were, of course, entitled under the conventions governing access to documents of former Administrations to see documents which you saw while you were a Minister, but the publication from them in a newspaper is in breach both of the accepted conventions governing access and of the confidentiality attaching to the papers concerned. It is also relevant that, as was made clear in the Prime Minister's statement on 8 July last, one of the conditions under which the documents were made available to the Franks Committee specified that no part of Cabinet or Cabinet Committee documents or other documents which carried a security classification might be reproduced in the Committee's Report or otherwise published without the agreement of the Government and that of the former Prime Minister of the Administration concerned.

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was noted in Buenos Aires and no doubt elsewhere, and has made it significantly more likely that that access will be severely impaired if not completely lost. I do not need to stress the potential consequences of this for the future. There are further disclosures in your recent article, not just of intelligence assessments and material derived from intelligence but also of information about sources of intelligence, which could have extremely damaging consequences not just for the continuing availability of intelligence but also for those who were the sources of some of the intelligence.

I realise that you will wish to make further contributions, both in the House of Commons and outside it, to the debate on the subjects covered by the Franks Report. I write now to draw your attention to these matters, and to ~~express the hope~~^{ack} that in any such contributions you will be able to have ~~greater~~ regard ~~than you have hitherto shown~~ for your obligations to maintain confidence and secrecy in respect of information that came to you when you were a Minister - of which I understand you were specifically reminded when you went to see Foreign and Commonwealth Office papers - and for the conventions under which you were given access to the documents in question.

I am sending copies of this letter to Mr Foot and to Mr Callaghan.